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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,846	07/26/2001	H. Winnfred Smith	1693 (4000-05000)	7187
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OVERLAND PARK, KS 66251-2100			2142	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/915,846	Applicant(s) SMITH, H. WINNFRED	
	Examiner Thong H Vu	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13,15,17-26,28,30 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13,15,17-26,28,30 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1,20,21 have been amended. Claims 14,16,27,29,31,33 are canceled.

The final action is appropriate.

Response to Arguments

2. Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13,15,17-26,28,30,31 are rejected under 35 U.S.C. § 103 as being unpatentable over Bloom et al [Bloom 6,769,113 B1] in view of Wewalaarachchi et al [Wewalaraachchi 6,067,477].

3. As per claim 1, Bloom discloses a method for managing change to protect the integrity of an enterprise's operating environment [Bloom, an enterprise, col 3 line 50-col 4 line 17] comprising the steps of:

(a) submitting a change request document by a change requester to a change manager for validation [Bloom, identify request stage, type; col 8 lines 52-67; col 9 lines 1-63; verifies that they are entitled to support, col 6 lines 17-55];

(b) a proposed change described in a valid change request document to at least one potentially interested operating unit within the enterprise wherein said change

consists of modifications to hardware, software or both in an electronic computing system of the enterprise [Bloom, identifying a configuration defining software services and hardware platforms that support said model represented by said data, col 2 lines 8-25; col 4 line 57-col 5 line 7; col 14 lines 30-48];

(c) reviewing said proposed change by a review team comprising said change manager [Bloom, each actor may see/visualize the change, col 8 lines 10-20]

However Bloom does not explicitly detail broadcasting notice of a proposed change request or a representative of each potentially interested operating unit receiving notification of said proposed change and choosing to participate in said review team, said review team recommending a course of action regarding said proposed change; (d) notifying said change requester of said review team's recommended course of action regarding said proposed change.

In the same endeavor, Wewalaarachchi discloses a real-time enterprise wide object-oriented system monitors physical and logical entities including propagates the notification to its client agent [Wewalaarachchi, col 23 lines 47-56; col 135 lines 1-53].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the technique of propagates the notification to its client agent as taught by Wewalaarachchi into the Bloom's apparatus in order to utilize the enterprise wide object-oriented system. Doing so would provide a quick and dynamic response to the real-time control and management network enterprises.

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4. As per claim 2, Bloom-Wewalaarachchi disclose the step of said change requester revising and resubmitting a change request document rejected by the review team [Bloom, a need to correct the software, col 6 lines 17-28. Based on the display and edit actions, the actor could resubmitted a change request].

5. As per claim 3, Bloom-Wewalaarachchi disclose the step of said change requester canceling a change request document rejected by the review team [Wewalaarachchi, delete any unnecessary data objects, col 15 lines 3-18].

6. As per claim 4, Bloom-Wewalaarachchi disclose the step of said change manager, with input from said review team, scheduling implementation of a change described in a change request document approved by the review team [Wewalaarachchi, dynamic scheduling, col 1 lines 39-49].

7. As per claim 5, Bloom-Wewalaarachchi disclose the step of said change manager notifying each potentially interested operating unit of the schedule for and details of implementation of said change [Wewalaarachchi, notification, col 23 lines 47-56; col 135 lines 1-53].

8. As per claim 6, Bloom-Wewalaarachchi disclose the step of said change requester or a designee of the change requester or change manager implementing said change [Bloom, a computer implemented method, col 14 lines 30-47].

9. As per claim 7, Bloom-Wewalaarachchi disclose the step of updating document with the status of said change [Bloom, update the object's data, col 7 lines 35-43].

10. As per claim 8, Bloom-Wewalaarachchi disclose the step of said change manager notifying each potentially interested operating unit that said change has been implemented [Wewalaarachchi, notification, col 23 lines 47-56; col 135 lines 1-53].

As per claim 9, Bloom-Wewalaarachchi disclose at least one potentially interested operating unit is an asset management organization responsible for maintaining an inventory of the enterprise's assets as inherent feature of the real-time control and management network enterprises.

11. As per claim 10, Bloom-Wewalaarachchi disclose performing an analysis of the effectiveness of the change management method after implementation of said change [Bloom, program analysis report, col 6 lines 17-28].

12. As per claim 11, Bloom-Wewalaarachchi disclose generating a written report describing the effectiveness of said change management method with regard to said change [Bloom, program analysis report, col 6 lines 17-28].

13. As per claim 12, Bloom-Wewalaarachchi disclose assigning each change requester a security clearance level corresponding to an approved set of operations that the change requester may perform with respect to a change request document [Wewalaarachchi, Security, col 21 lines 35-67].

14. As per claim 13, Bloom-Wewalaarachchi disclose the set of operations further comprises viewing, editing, and submitting a change request document [Bloom, display and edit, col 8 lines 10-15].

15. As per claim 15, Bloom-Wewalaarachchi disclose implementing said change management method on an electronic computing system [Bloom, a computer implemented method, col 14 lines 30-47].

16. As per claim 17, Bloom-Wewalaarachchi disclose the implementation of said change is unsuccessful [Bloom, error prone, col 1 lines 37-44].

17. As per claim 18, Bloom-Wewalaarachchi disclose
(a) reversing all steps taken in the attempted implementation of said change [Bloom, display and edit, col 8 lines 10-15];
(b) notifying a potentially interested operating units of the unsuccessful implementation of said change [Wewalaarachchi, notification, col 23 lines 47-56; col 135 lines 1-53];

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(c) updating said change request document with the status of said change [Bloom, update the object's data, col 7 lines 35-43].

18. As per claim 19, Bloom-Wewalaarachchi disclose (a) leaving in place any partial, successful steps taken in the implementation of said change [Invanov, sufficient and insufficient, col 29 lines 55-65];

(b) rescheduling any remaining steps to be taken in the implementation of said change [Wewalaarachchi, dynamic scheduling, col 1 lines 39-49];

(c) notifying all potentially interested operating units of the status of said change [Wewalaarachchi, notification, col 23 lines 47-56; col 135 lines 1-53]; and

(d) updating said change request document with the status of said change [Bloom, update the object's data, col 7 lines 35-43].

19. Claim 20 contains the similar limitations set forth of apparatus claim 1. Therefore, claim 20 is rejected for the similar rationale set forth in claim 1.

20. Claims 21-26, 28, 30, 31 contain the similar limitations set forth of apparatus claims 1-13, 15, 17-19. Therefore, claims 21-26, 28, 30, 31 are rejected for the similar rationale set forth in claims 1-13, 15, 17-19.

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THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (571) 272-3896. The fax number for the organization where this application or proceeding is assigned is 703-872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142


JACK HARVEY
SUPERVISOR, PATENT EXAMINER